

REMEDICATION AND REDEVELOPMENT (RR) NEWS FROM WISCONSIN DNR
February 6

NRB APPROVES REVISIONS TO DRY CLEANER RESPONSE RULE

On January 22 the Natural Resources Board (NRB) adopted revisions to ch. NR 169, the Drycleaner Environmental Response Fund rule. Pending Legislative action, these rule changes could become effective as early as May 1, 2003. Please visit our "Dry Cleaners" web page to see the new rule language. We've also posted a copy of the current rule with the proposed new language inserted.

<http://www.dnr.state.wi.us/org/aw/rr/financial/dryclean.htm>
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GOVERNOR PROPOSES ENVIRONMENTAL FUND AND BROWNFIELD GRANT CUTS

As part of his proposed budget repair bill for the last half of the 2001-2003 biennium, the Governor has identified \$3.5 million to be removed from Department of Commerce brownfield grants, \$0.5 million from DNR Brownfield Green Space and Public Facilities Grants, and \$1.0 million from DNR's Environmental Fund. This totals \$5 million in budget reductions related to the Remediation and Redevelopment Program and to Department of Commerce brownfield grants prior to June 30, 2003. The independent Brownfields Study Group (BFSG) met on January 24, and has written a letter to the governor and to legislators recommending that this \$5 million in budget cuts be redistributed as follows - \$3,725,000 from Commerce brownfield grants, \$150,000 from DNR Brownfield Site Assessment Grants, \$1.0 million from Green Space grants and \$125,000 from DNR's Sustainable Urban Development Zone (SUDZ) grants, with no reductions to the Environmental Fund. The BFSG letter is available on the RR web site at

<http://www.dnr.state.wi.us/org/aw/rr/rbrownfields/bsg/index.htm>.

EPA PROPOSES PRACTICES FOR "ALL APPROPRIATE INQUIRY" UNDER CERCLA

EPA is clarifying a provision included in recent amendments to the Comprehensive Environmental Response, Compensation, and Liability Act

(CERCLA). Specifically, EPA has posted a direct final rule to address the interim standard set by Congress in the Small Business Liability Relief and Brownfields

Revitalization Act for conducting "all appropriate inquiry" to establish that a landowner had no reason to know of contamination at a property under CERCLA liability provisions prior to purchasing the property. For property purchased on or after May 31, 1997, the requirements for conducting "all appropriate inquiry," will be satisfied by use of ASTM Standard E1527-2000, entitled "Standard Practice for Environmental Site Assessment: Phase 1 Environmental Site Assessment Process." Recipients of brownfields site assessment grants will be in compliance with all appropriate inquiry requirements if they comply with ASTM Standard E1527-2000. This rule will be effective March 25, 2003, without further notice, unless EPA receives adverse comment by February 24, 2003. For more information about the rule, and to find out how to comment, visit EPA's web site. You can access federal register documents at http://cascade.epa.gov/RightSite/dk_public_home.htm Once in the system, select "quick search", then key in docket identification number SFUND-2002-0007.

TEMPORARY RELOCATION OF SCR STAFF

Effective Monday, February third, all South Central Region staff working in DNR's Remediation and Redevelopment, Air Management and Waste Management Programs are temporarily relocated. For about 14 months, these staff will work at DNR's "Willy Blount" offices at the corner of Williamson and Blount Streets in Madison, while our South Central Regional (SCR) Headquarters is renovated. The SCR building was constructed in 1980, and renovation and repairs have been planned for 5 years. Many systems, such as heating and ventilation, are in need of upgrade. SCR staff telephone numbers and email addresses will not change during this relocation, but mailing addresses will be different. Please address mail for these staff to "Jane Doe", Department of Natural Resources/WB, Box 7921, Madison, WI 53707.

NEW LOOK FOR RR PROGRAM WEB

We have redesigned the RR Program main web page at <http://www.dnr.state.wi.us/org/aw/rr/index.htm> to improve the presentation of our content and the navigation of our site. For example, you can now find our database of contaminated sites (BRRTS) in the lower left under "Contaminated Land Databases". Please use our feedback button if you have comments. The changes to our home page

are part of a much larger redesign of the entire DNR web site. Please check out the DNR "What's New" page for future announcements about redesign.

CONSULTANT REMINDER

The Department of Transportation (DOT) is again encountering confusion about notices of contamination in rights-of-way. Section NR 726.05(2)(b)4, Wis. Admin. Code, requires notification of appropriate units of government when a site closure request is being made with groundwater ES exceedences in a right-of-way. For state trunk, interstate and U.S. highways, DOT has asked that all notifications of contamination in highway rights-of-way be directed to Shar Te Beest by email at sharlene.tebeest@dot.state.wi.us The subject line of the email should read: "Notification of Contamination within Right of Way". DOT will acknowledge receipt by return email, not by letterhead stationary. DOT requests that all notifications include the following information, in this order: County; Highway; Site Name; Site Address; BRRTS Number; PECFA Number; DNR FID Number; Owner's Name; Owner's Address; Consulting Firm; Consultant Contact; Consultant Address; Consultant Phone, Fax and E-mail; Soil contamination? yes or no; Depth to contaminated soil; Vertical extent of contaminated soil (from _ feet to _ feet below ground surface); Groundwater contamination? yes or no; Depth to water table; Description of the type(s) of contamination present; Brief summary of cleanup activity; Attachment with a current plume map for groundwater contamination; Attachment with a current plume map for soil contamination. Maps may be submitted as attachments to the email. DOT prefers attachments that are Adobe Acrobat pdf or MS Word documents. If the highway is also a city street, the city should also be notified.

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